IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 15TH MARCH 2007 / 24TH PHALGUNA 1928

Bail Appl..No. 1216 of 2007()

AGAINST THE ORDER IN BA.684/2007
CRIME NO.22/07 OF PALOD POLICE STATION

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: PETITIONERS/3RD & 4TH ACCUSED

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1. PRABHAKARAN PILLAI,
S/O.MADHAVAN PILLAI,SEEMA VILASAM VEEDU,
ARIPPA AMMAYAMBALAM, CHATHUPPU,
ANADU MURI, PERINGAMALA.

2. APPU, S/O.VELUKUTTY,
ARIPPA KOCHUKALUNGU,VANATHUNARIKATHU PUTHAN VEEDU,
ANADU MURI, PERINGAMALA.

BY ADV. SRI.LIJU. M.P

RESPONDENTS:

STATE OF KERALA, REP.BY SUB INSPECTOR OF
POLICE, PALODE POLICE STATION,
REP.BY PUBLIC PROSECUTOR,HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1216 OF 2007 B

Dated this the 15th day of March, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioners, who are accused Nos.3 and 4 in Crime No.22/2007 of Palod Police Station for an offence punishable under Sec.55(g) of the Abkari Act for allegedly having been found in possession of 1500 liters of wash on 14.1.2007 and who were arrested on the same day, seek their enlargement on bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the fact that no final report has been filed even after 60 days of detention of the petitioner, they are entitled to compulsive bail under the proviso to sec.167(2) Cr.P.C. Accordingly, the petitioners are directed to be released on bail on each of them executing a bond for Rs.20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Nedumangad and subject to the following conditions:

a. The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. The petitioners shall make themselves available for interrogation as and when required by the police till the filing of the final report.

c. The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

d. The petitioners shall not commit any offence while on bail.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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